



DEPARTMENT OF PLANNING AND BUILDING

TO: Board of Supervisors

FROM: Stephanie Fuhs, Current Planning Division

VIA: Ellen Carroll, Environmental Coordinator

DATE: December 17, 2013

SUBJECT: Submittal of resolution approving and accepting an Agricultural Open-Space Agreement Granting an Open Space Easement to the County of San Luis Obispo for Vesting Tentative Parcel Map and Conditional Use Permit CO10-0025/SUB2007-00055 with John M. Gardner, Successor Trustee of the Gardner Family Trust Under Trust Agreement Dated September 1, 1989. District 4.

Recommendation

Adopt and instruct the Chairperson to sign the resolution approving and accepting an Agricultural Open-Space Agreement Granting an Open Space Easement to the County of San Luis Obispo for Vesting Tentative Parcel Map and Conditional Use Permit CO10-0025/SUB2007-00055 with John M. Gardner, Successor Trustee of the Gardner Family Trust Under Trust Agreement Dated September 1, 1989.

Discussion

Attached is an agricultural open space agreement that was required as a condition of approval for Vesting Tentative Parcel Map and Conditional Use Permit CO10-0025/SUB2007-00055. The open space easement was required to comply with open space provisions contained in the Land Use Ordinance for agricultural cluster subdivisions.

The project is a Vesting Tentative Parcel Map and Conditional Use Permit to subdivide one 124.33-acre parcel into a minor agricultural cluster subdivision consisting of four parcels including: 1) creation of three clustered residential parcels of 3.39, 3.34, and 5.0 acres each (totaling 11.73 acres), for the purpose of sale and/or development, including a 10,000-square foot building envelope and onsite septic systems on each lot; and 2) one 112.60-acre agriculture parcel including a 2.0-acre ranch headquarters envelope (which is currently developed by an existing residence), 2.0-acre agricultural processing development envelope (which may be increased to 3.0 acres as conditioned), provision for 1.0 acre of subsurface development (i.e., wine caves), and drainage improvements. The proposed project is within the Agriculture land use category and is located at 7114 Orcutt Road, approximately 0.2 mile south of Morretti Canyon Road, southeast of the City of San Luis Obispo. The site is in the San Luis Obispo planning area.

The area contained within the open space easement is 124.33 acres. The total project site is 124.33 acres.

The attached open space agreement is found to be consistent with the County's general plan.

Other Agency Involvement

County Counsel prepared the agreements and approved the resolutions and documents as to form and legal effect. Public Works reviewed and approved the legal descriptions contained in the open space agreement.

Financial Considerations

None.

Results

Approving and accepting the open space agreement will provide for an open space parcel to preserve 90 percent of the project site for agricultural purposes in accordance with Land Use Ordinance standards and conditions of approval for the project.

Attachments

Attachment A- Resolution

Attachment B – Open Space agreement

Attachment C - Vicinity Map

Attachment D - Site Plan